



Docket No.: 42P11362

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Brian S. Doyle et al.

Application No.: 09/895,579

Filed: June 29, 2001

For: CREATION OF HIGH MOBILITY
CHANNELS IN THIN-BODY SOI
DEVICES

Examiner: David Nhu

Art Group: 2818

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C. H. King
3-25-23

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RESPONSE TO RESTRICTION REQUIREMENT

Box Non-Fee Amendment
Assistant Commissioner for Patents
Washington, DC 20231-9998

Sir:

In the Office Action mailed February 13, 2003, the Examiner contends that Applicants claim two distinct inventions; namely, Group I (claims 14-27), and Group II (claims 28-33). Thus, pursuant to 35 U.S.C. 121, the Examiner requires Applicants to restrict the application to one of the alleged two inventions.

However, the Examiner did not state the reasons for the restriction requirement. The particular reasons relied on by the Examiner for holding that the inventions as claimed are either independent or distinct should be concisely stated. A mere statement of conclusion is inadequate. The reasons upon which the conclusion is based should be given. MPEP 816. Here, the Examiner did not provide the reasons with specific example on why claims 14-27 and claims 28-33 belong to two patentably distinct species.

However, in compliance with 35 U.S.C. §121, Applicants elect Group I (claims 14-27).

In view of the foregoing, it is respectfully submitted that the current pending claims are in condition for allowance and such action is respectfully solicited.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

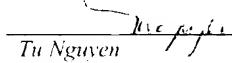


THINH V. NGUYEN

Reg. No. 42,034

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on: March 13, 2003.



Tu Nguyen

03/13/03

Dated: March 13, 2003

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